

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**Civil Action No. 3:12-cv-487-MOC-DCK**

DAVID HOLMES, HERTA S.                     )  
THEBERGE, MARGUERITE K.                 )  
POTTER, and the MARGUERITE K.            )  
POTTER REVOCABLE TRUST,                 )  
individually and on behalf of all others   )  
similarly situated,                         )

Plaintiffs,                     )

v.                                     )

BANK OF AMERICA, N.A., in its own       )  
capacity and as successor by merger to   )  
BAC HOME LOANS SERVICING, L.P.,         )  
SEATTLE SPECIALTY INSURANCE             )  
SERVICES, INC., in its own capacity       )  
and as successor in interest to            )  
COUNTRYWIDE INSURANCE                    )  
SERVICES, INC., ILLINOIS UNION           )  
INSURANCE COMPANY, and                   )  
CERTAIN UNDERWRITERS AT                 )  
LLOYD'S LONDON, including all             )  
underwriters who underwrote force-placed  )  
wind insurance policies for Bank of       )  
America, as the insured during the         )  
applicable limitations period and          )  
LLOYD'S, UNDERWRITERS, AT               )  
LONDON                                        )

Defendants.                     )

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**NOTICE OF APPEARANCE**

PLEASE TAKE NOTICE that, pursuant to Local Rule 83.1(E), the undersigned, Daina Bray, of the law firm Phelps Dunbar LLP, a member in good standing of the North Carolina Bar and admitted to practice before this Court, does hereby make her appearance in the above-entitled action as attorney for the Defendants named as “Certain Underwriters at Lloyd’s, London including all underwriters at Lloyd’s London who underwrote force-placed wind insurance policies for Bank of America as the insured during the applicable statute of limitations period” (hereinafter, “Certain Underwriters”), along with Kevin M. O’Brien, who has previously appeared for Certain Underwriters, and requests service copies of all pleadings, notices, papers and other matters filed herein.

Respectfully submitted this 18th day of February, 2013.

PHELPS DUNBAR LLP

s/ Daina Bray

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*Attorneys for Defendants Named as “Certain Underwriters at Lloyd’s, London including all underwriters at Lloyd’s London who underwrote force-placed wind insurance policies for Bank of America as the insured during the applicable statute of limitations period”*

## **CERTIFICATE OF SERVICE**

I certify that, on this 18th day of February, 2013, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following counsel of record:

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s/ Daina Bray

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